

DECISION



W. Thompson
119088
**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548**

FILE: B-206562.3

DATE: July 28, 1982

MATTER OF:

**Medical Devices of Fall River,
Inc.--request for reconsideration**

DIGEST:

1. Suspended firm is not "interested party" under our Bid Protest Procedures, even though appeal of suspension is pending, since firm is not eligible for award.
2. GAO does not have authority under Bid Protest Procedures to enjoin award of contract pending firm's appeal of suspension.

Medical Devices of Fall River, Inc. (Medical Devices), requests reconsideration of our decision in Medical Devices of Fall River, Inc., B-206562.2, June 15, 1982, 82-1 CPD _____, in which we dismissed Medical Devices' protest of the award of a contract for surgical instruments because it had been suspended from contracting with the Government and, therefore, was not an interested party under section 21.1(a) of our Bid Protest Procedures, 4 C.F.R. § 21.1(a) (1982).

Medical Devices was suspended by the General Services Administration. Medical Devices requested and was granted a hearing before the General Services Administration Board of Contract Appeals, which upheld the suspension. Medical Devices has requested that the Board reconsider its decision, and that request is now pending before the Board.

Medical Devices asks us to prevent the contracting officer from awarding the contract until the Board rules on Medical Devices' request. So long as Medical Devices is a suspended bidder it is not eligible for award of the contract and not an interested party for the purposes of protesting. Additionally, our protest procedures do not provide for our preventing the award of contracts pending the resolution of disputes and we do not do so. See Check Mate Industries, Inc., B-194612, June 12, 1979, 79-1 CPD 413.

We dismiss the request for reconsideration.

For *J. H. Barclay, Jr.*
Harry R. Van Cleve
Acting General Counsel